

**To:** Albright, David[Albright.David@epa.gov]; Johnson, AudreyL[Johnson.AudreyL@epa.gov]  
**Cc:** Rumrill, Nancy[Rumrill.Nancy@epa.gov]; Stephen  
Twyerould[stwyerould@excelsiormining.com]  
**From:** Rebecca Sawyer  
**Sent:** Wed 10/4/2017 6:06:24 PM  
**Subject:** Gunnison Copper Project UIC

David;

Excelsior Mining is concerned about the arbitrary increase, by fifteen days, of the public comment period on the Gunnison UIC. There is no valid reason for providing an unrequested extension of the statutory and regulatory mandated comment period. It goes without saying that the authors of the time period did not think a longer period was required and in today's era of instant communication such an extension is all the more unnecessary. Nancy indicated that this was being planned because Earthworks had requested an extension of the comment period for the ADEQ Aquifer Protection Permit. Excelsior is in ongoing talks with Earthworks, the result of which, is that they have agreed to not appeal the APP or UIC permits. If Earthworks still wants to comment on the UIC, it should be noted, that their APP comments were all on the Application and not on the permit. They have had both applications now for over a year, so have had plenty of time. Excelsior strongly disagrees with extending the comment period. Anyone can request an extension, if they desire to have one. It is at that time that EPA should consider whether there is a necessity to accommodate the requested extension, the reasonable time frame for an extension and whether the requestor could have been more diligent all prior to granting any extension. Recall that although an extension was requested of ADEQ regarding the APP, it was not granted in full and the comments were timely filed regardless. Further, the time frame to file an appeal of the APP has passed without ADEQ having received an notice of appeal.

Additionally, Nancy relayed that some additional comments had been received by EPA's contractor. Excelsior would like the opportunity to review the draft permit, prior to it going to public comment. This would not be to bring new topics up for discussion. The purpose is to avoid any misunderstandings related to things previously discussed. This will also avoid a situation where the applicant and EPA must resolve concerns and possibly revise the permit potentially requiring any changes agreed to between EPA and the applicant to be presented to the public again and run an additional comment period thereby delaying this process yet again.

Please feel free to contact me if you have any questions regarding this email. As always, Excelsior appreciates the efforts on EPA's part to issue this UIC as soon as possible.

Thank you,

**Rebecca A. Sawyer**

*Vice President, Sustainability*



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